

ESTTA Tracking number: **ESTTA677467**Filing date: **06/10/2015**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**Notice of Opposition**

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Forever, Inc.
Granted to Date of previous extension	06/10/2015
Address	One PPG Place, 20th Floor Pittsburgh, PA 15222 UNITED STATES

Attorney information	Rochelle D. Alpert Morgan, Lewis & Bockius LLP One Market, Spear Street Tower San Francisco, CA 94105 UNITED STATES ralpert@morganlewis.com, shall@morganlewis.com, sfrade- marks@morganlewis.com Phone:415-442-1326
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Applicant Information

Application No	86386895	Publication date	02/10/2015
Opposition Filing Date	06/10/2015	Opposition Period Ends	06/10/2015
Applicant	IndieGoGo, Inc. 965 Mission Street, 6th Floor San Francisco, CA 94103 UNITED STATES		

Goods/Services Affected by Opposition


Class 036. First Use: 0 First Use In Commerce: 0
All goods and services in the class are opposed, namely: On-line business fundraising services; providing an interactive website for users to organize and conduct fundraising events to raise money for projects; providing a website where donors search for and make monetary contributions through crowd-funding for specific charitable and non-charitable projects; facilitating and arranging for the financing of independent art, media and film; Crowdfunding services in the nature of accepting and administering monetary contributions from a group of individuals

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
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Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	4598177	Application Date	04/12/2013
Registration Date	09/02/2014	Foreign Priority	NONE

		Date	
Word Mark	FOREVER		
Design Mark			
Description of Mark	The mark consists of the word FOREVER with a ring as the letter O.		
Goods/Services	<p>Class 009. First use: First Use: 2014/02/11 First Use In Commerce: 2014/02/11 Downloadable computer software that allows for the storage, organization and sharing of electronic data and media by others</p> <p>Class 039. First use: First Use: 2013/11/22 First Use In Commerce: 2013/11/22 Storage services for archiving documents, media and other electronic data</p> <p>Class 042. First use: First Use: 2013/11/22 First Use In Commerce: 2013/11/22 Providing temporary use of online non-downloadable computer software for use in electronic storage of data and media; conversion of data or documents from physical to electronic media</p>		

U.S. Application No.	85737755	Application Date	09/25/2012
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	FOREVERTRUST		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 0 First Use In Commerce: 0 Computer software for the organization, storage and access by others of personal documents, data, text, photos, images, graphics, music, audio, video and multimedia content, for use in the safeguarding of digital files, including audio, video, text, binary, still images, graphics and multimedia files, for retrieving personal documents, data, text, photos, images, graphics, music, audio, video and multimedia content from databases and computer networks</p> <p>Class 035. First use: First Use: 0 First Use In Commerce: 0 Promoting the goods and services of others via a global computer network; Providing consumer product information via the Internet</p> <p>Class 036. First use: First Use: 0 First Use In Commerce: 0 Insurance information and consultancy; Investment advice; Providing information and advice in the field of finance, financial investments, financial valuations, and the financial aspects of retirement</p> <p>Class 039. First use: First Use: 0 First Use In Commerce: 0 Electronic storage of digital media, namely, data, documents, text, photos, im-</p>		

	<p>ages, graphics, music, audio, video and multimedia content</p> <p>Class 042. First use: First Use: 0 First Use In Commerce: 0</p> <p>Providing a website featuring technology that enables users to organize, store and access personal documents, data, text, photos, images, graphics, music, audio, video and multimedia content, for use in the safeguarding of digital files, including audio, video, text, binary, still images, graphics and multimedia files, to retrieve personal documents, data, text, photos, images, graphics, music, audio, video and multimedia content from databases and computer networks; Providing on-line non-downloadable software for the organization, storage and access by others of personal documents, data, text, photos, images, graphics, music, audio, video and multimedia content, for use in the safeguarding of digital files, including audio, video, text, binary, still images, graphics and multimedia files, for retrieving personal documents, data, text, photos, images, graphics, music, audio, video and multimedia content from databases and computer networks</p> <p>Class 045. First use: First Use: 0 First Use In Commerce: 0</p> <p>On-line social networking services</p>
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U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	<p>Forever trade name; Forever, Inc. corporate name; FOREVER.COM domain name; FOREVER mark; FOREVER GUARANTEE FUND mark; THE FOREVER GUARANTEE mark; FOREVER MEDIA SERVICES mark; 1-888-FOREVER mark; FOREVER LIVE! mark; FOREVER and design mark.</p>		
Goods/Services	As specified in the attached Notice of Opposition		

Attachments	<p>85902473#TMSN.png(bytes)</p> <p>85737755#TMSN.png(bytes)</p> <p>Notice of Opposition (Exs A-B) -- Serial No. 86386895.pdf(514543 bytes)</p>
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/RDA/
Name	Rochelle D. Alpert
Date	06/10/2015

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of:
Application Serial No. 86/386,895
Filed September 5, 2014
for the mark **FOREVER FUNDING**
Published in the OFFICIAL GAZETTE on February 10, 2015

Forever, Inc.,

Opposer,

v.

IndieGoGo, Inc.,

Applicant.

Opposition No.:

NOTICE OF OPPOSITION

Forever, Inc. (“Opposer” or “Forever”), a Delaware corporation, having its principal place of business at One PPG Place, 20th Floor, Pittsburgh, Pennsylvania 15222, believes that it will be damaged by the application of IndieGoGo, Inc. (“Applicant”) to register the FOREVER FUNDING designation through its intent-to-use application Serial No. 86/386,895 (“Opposed Application”) and hereby opposes the application.

As grounds for the Notice of Opposition, Forever alleges as follows:

Forever’s Trademark and Other Rights

1. Under the Forever name, the FOREVER trademark, other FOREVER formative trademarks, the forever.com domain, the 1-888-FOREVER toll free number, and the registered FOREVER and Design mark, Forever offers and provides both a website and a mobile application with which users can upload, organize, access, search and share their own content, images and videos as well as content, images and videos of others. In connection with these products and services, Forever offers users services, including scanning, digital conversion, digital archive and internet storage services.

2. Since well before the September 5, 2014 filing date of the Opposed Application, Forever has marketed, promoted and offered its products and services through its www.forever.com website, where it uses the FOREVER trade name and trademark.

3. In connection with the FOREVER cloud storage service, Forever offers the FOREVER GUARANTEE FUND, a restricted investment fund dedicated to the permanent preservation of digital property of users. Certain FOREVER customers pay for “Permanent Gigabytes” in connection with their FOREVER cloud storage service, and these funds are transferred directly to the FOREVER GUARANTEE FUND, which in turn finances the permanent preservation and sharing of the digital media of those FOREVER members. The FOREVER GUARANTEE FUND is designed to generate income and capital gains which finance long-term storage, bandwidth and data migration to new file formats.

4. Forever has used the mark FOREVER GUARANTEE FUND in connection with its services since before the September 5, 2014 filing date of the Opposed Application.

5. Forever has used the trade name Forever and the corporate name Forever, Inc. in connection with developing, promoting, marketing and/or offering its goods and services since before the September 5, 2014 filing date of the Opposed Application. Forever also uses the 1-888-FOREVER toll free number for its services and also offers a FOREVER blog, which have been in use since before the filing of the intent-to-use Opposed Application.

6. Forever owns a valid, subsisting, uncanceled and unrevoked federal trademark registration for its FOREVER and Design mark (U.S. Reg. No. 4,598,177), which was filed on April 12, 2013 and registered on September 2, 2014, for “downloadable computer software that allows for the storage, organization and sharing of electronic data and media by others” in International Class 09, “Storage services for archiving documents, media and other electronic data” in International Class 39, and “Providing temporary use of online non-downloadable

computer software for use in electronic storage of data and media; conversion of data or documents from physical to electronic media” in International Class 42. The mark has been used in commerce by Forever in connection with the goods identified in International Class 9 since at least as early as February 11, 2014, and in connection with the services identified in International Classes 39 and 42 since at least as early as November 22, 2013. A true and correct copy of the TSDR and Assign Status pages for this mark from the USPTO website are attached hereto as Exhibit A.

7. Forever owns a valid, allowed federal trademark application for the mark FOREVERTRUST (App. Ser. No. 85/737,755), which was filed on September 25, 2012 and allowed on July 23, 2013 for use in connection with “Computer software for the organization, storage and access by others of personal documents, data, text, photos, images, graphics, music, audio, video and multimedia content, for use in the safeguarding of digital files, including audio, video, text, binary, still images, graphics and multimedia files, for retrieving personal documents, data, text, photos, images, graphics, music, audio, video and multimedia content from databases and computer networks” in International Class 09, “Promoting the goods and services of others via a global computer network; Providing consumer product information via the Internet” in International Class 35, “Insurance information and consultancy; Investment advice; Providing information and advice in the field of finance, financial investments, financial valuations, and the financial aspects of retirement” in International Class 36, “Electronic storage of digital media, namely, data, documents, text, photos, images, graphics, music, audio, video and multimedia content” in International Class 39, “Providing a website featuring technology that enables users to organize, store and access personal documents, data, text, photos, images, graphics, music, audio, video and multimedia content, for use in the safeguarding of digital files, including audio, video, text, binary, still images, graphics and multimedia files, to retrieve personal documents,

data, text, photos, images, graphics, music, audio, video and multimedia content from databases and computer networks; Providing on-line non-downloadable software for the organization, storage and access by others of personal documents, data, text, photos, images, graphics, music, audio, video and multimedia content, for use in the safeguarding of digital files, including audio, video, text, binary, still images, graphics and multimedia files, for retrieving personal documents, data, text, photos, images, graphics, music, audio, video and multimedia content from databases and computer networks” in International Class 42, and “On-line social networking services” in International Class 45. A true and correct copy of the TSDR and Assign Status pages for this application from the USPTO website are attached hereto as Exhibit B.

8. Forever also has used other formatives of its registered FOREVER and design mark as marks including but not limited to FOREVER, FOREVER GUARANTEE FUND, THE FOREVER GUARANTEE, FOREVER MEDIA SERVICES, 1-888-FOREVER and FOREVER LIVE!.

9. Forever has expended much time and effort in the development, marketing, and promotion of its products and services using its federally registered FOREVER and Design mark and other FOREVER marks, its Forever corporate name and trade name, the FOREVER GUARANTEE FUND mark, its other FOREVER formative marks, and its forever.com domain name and its toll free 1-888-FOREVER.

Applicant’s Intent-to-Use Trademark Application

10. On September 5, 2014, Applicant filed an intent-to-use application for the designation FOREVER FUNDING, Serial No. 86/386,895. The Opposed Application covers the following services in International Class 36: “On-line business fundraising services; providing an interactive website for users to organize and conduct fundraising events to raise money for projects; providing a website where donors search for and make monetary contributions through

crowd-funding for specific charitable and non-charitable projects; facilitating and arranging for the financing of independent art, media and film; Crowdfunding services in the nature of accepting and administering monetary contributions from a group of individuals.”

11. The September 5, 2014 filing date of the Opposed Application is well after the filing dates and first use of Forever’s FOREVER and Design mark and well after Forever’s corporate and trade name, domain name and common law trademarks were first used and established.

12. Applicant’s designation FOREVER FUNDING was published for opposition in the Official Gazette on February 10, 2015.

13. The Trademark Trial and Appeal Board granted Opposer’s request to extend the opposition period for Applicant’s designation FOREVER FUNDING through June 10, 2015. Thus, this Notice of Opposition is timely filed.

FIRST CAUSE OF ACTION
(Likelihood of Confusion)

14. Forever incorporates by reference and realleges as though fully set forth herein the allegations of paragraphs 1 through 13 of this Notice of Opposition.

15. The services set forth in the Opposed Application on their face are competitive with, overlap with, and/or directly related to the products and services Forever offers and sells under its federally registered FOREVER and Design mark, the FOREVER and FOREVER GUARANTEE FUND marks at common law, other FOREVER formative trademarks, the Forever corporate and trade name, and the forever.com domain name. Further, on information and belief, the services listed in the Application will be offered, promoted and/or are likely to be sold or offered for sale through the same or overlapping channels of trade and/or in the same geographic locations, will be used and/or are likely to be used by the same or overlapping users, and will be used and/or are likely to be directed to the same or overlapping type of customers to

whom Forever markets, offers and sells its products and services, and intends to market, promote and sell its products and services using its federally registered FOREVER and Design mark, and FOREVER, FOREVER GUARANTEE FUND and other FOREVER formative marks at common law.

16. The opposed, applied-for designation is both confusingly similar in sight, sound, meaning and/or overall commercial impression to Forever's federally registered FOREVER and Design mark, its FOREVER and FOREVER GUARANTEE FUND and other FOREVER formative marks, its corporate and trade name, its domain name, and its toll free number.

17. Given that Applicant has disclaimed "FUNDING," the dominant element of Applicant's applied-for designation – "FOREVER" – is identical in terms of sight, sound and meaning to Forever's FOREVER and Design mark, its FOREVER marks at common law, the Forever corporate name, and trade name, the Forever domain name and the Forever toll free number. Indeed, the applied-for designations both fully incorporate Forever's FOREVER mark and name. Moreover, the FUNDING component, although disclaimed, further increases the confusing similarity between FOREVER FUNDING and Forever's FOREVER GUARANTEE FUND mark, in terms of sight, sound, and overall commercial impression.

18. The opposed, applied-for designation is likely to cause confusion, or to cause mistake or disparage or deceive by falsely suggesting a connection with Forever and the products and services for which Forever uses its marks, corporate name, trade name and domain name, when there is no such connection.

19. Forever believes it will be damaged by registration of the applied-for FOREVER FUNDING designation in violation of Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d). Unless the Opposed Application is denied, Forever will suffer injury as a result of the confusion and false association that is likely to arise from its registration.

WHEREFORE, Forever prays that the Opposed Application Serial No. 86/386,895 be rejected, that no registration be issued thereon to Applicant, and that this Notice of Opposition be sustained in favor of Forever.

DATE: June 10, 2015

Respectfully submitted,

By: /rda/

Rochelle D. Alpert
Attorney for Forever, Inc.

Rochelle D. Alpert
Stephanie L. Hall
Morgan, Lewis & Bockius, LLP
One Market, Spear Street Tower
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EXHIBIT A
to Notice of Opposition
(Serial Nos. 86/386,895)

Forever, Inc. vs. IndieGoGo, Inc.
Serial Nos.: 86/386,895)
Submitted by: Forever, Inc. (Opposer)

The USPTO will perform maintenance affecting the Trademark Status and Document Retrieval (TSDR) system beginning at 10 p.m. Wednesday, June 10th and ending at 5 a.m., Thursday, June 11th ET. TSDR will be unavailable during the maintenance period.

STATUS

DOCUMENTS

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Mark: FOREVER

FOREVER

US Serial Number: 85902473

Application Filing Date: Apr. 12, 2014

US Registration Number: 4598177

Registration Date: Sep. 02, 2014

Register: Principal

Mark Type: Trademark, Service Mark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Sep. 02, 2014

Publication Date: Sep. 10, 2013

Notice of Allowance Date: Nov. 05, 2013

Mark Information

Mark Literal Elements: FOREVER

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of the word FOREVER with a ring as the letter O.

Color(s) Claimed: Color is not claimed as a feature of the mark.

Design Search Code(s): 26.01.02 - Circles, plain single line; Plain single line circles
27.03.01 - Geometric figures forming letters, numerals or punctuation

Related Properties Information

International Registration

Number:

International Application [A0046283](#)(s) /Registration(s) Based
on this Property:

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and

- Asterisks *..* identify additional (new) wording in the goods/services.

For: Downloadable computer software that allows for the storage, organization and sharing of electr

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023,

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 11, 2014

Use in Commerce: Feb. 11, 2

For: Storage services for archiving documents, media and other electronic data

International Class(es): 039 - Primary Class

U.S Class(es): 100, 105

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 22, 2013

Use in Commerce: Nov. 22, 2

For: Providing temporary use of online non-downloadable computer software for use in electronic st
data or documents from physical to electronic media

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 22, 2013

Use in Commerce: Nov. 22, 2

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Filed ITU: Yes

Currently ITU: No

Filed 44D: No

Currently 44D: No

Filed 44E: No

Currently 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Forever, Inc.

Owner Address: One PPG Place, 20th Floor
Pittsburgh, PENNSYLVANIA 15222
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where DELAWAR
Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Rochelle D. Alpert

Docket Number: 061729-20

Attorney Primary Email ralpert@morganlewis.com

Attorney Email Authorized: Yes

Address:

Correspondent

Correspondent ROCHELLE D. ALPERT

Name/Address: MORGAN, LEWIS & BOCKIUS LLP
1 MARKET SPEAR STREET TOWER
SAN FRANCISCO, CALIFORNIA 94105
UNITED STATES

Phone: 415-442-1329

Fax: 415-422-1

Correspondent e-mail: ralpert@morganlewis.comCorrespondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 02, 2014	REGISTERED-PRINCIPAL REGISTER	
Aug. 01, 2014	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jul. 31, 2014	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jul. 30, 2014	STATEMENT OF USE PROCESSING COMPLETE	71034
Jul. 08, 2014	USE AMENDMENT FILED	71034
Jul. 29, 2014	CASE ASSIGNED TO INTENT TO USE PARALEGAL	71034
Jul. 08, 2014	TEAS STATEMENT OF USE RECEIVED	
May 03, 2014	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
May 01, 2014	EXTENSION 1 GRANTED	98765
May 01, 2014	EXTENSION 1 FILED	98765
May 01, 2014	TEAS EXTENSION RECEIVED	
Nov. 05, 2013	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Sep. 10, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Sep. 10, 2013	PUBLISHED FOR OPPOSITION	
Aug. 21, 2013		

	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Aug. 21, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jul. 30, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 29, 2013	ASSIGNED TO EXAMINER	81840
Apr. 19, 2013	NOTICE OF DESIGN SEARCH CODE E -MAILED	
Apr. 18, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Apr. 16, 2013	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jul. 31, 20

Assignment Abstract Of Title Information - Click to Load

Proceedings - Click to Load

**United States Patent and Trademark Office**[Home](#) | [Site Index](#) | [Search](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)**Assignments on the Web > Trademark Query****Trademark Assignment Abstract of Title****Total Assignments: 1****Serial #:** [85902473](#) **Filing Dt:** 04/12/2013**Reg #:** [4598177](#)**Reg. Dt:** 09/02/2014**Registrant:** Forever, Inc.**Mark:** FOREVER**Assignment: 1****Reel/Frame:** [5091/0877](#)**Recorded:** 08/15/2013**Pages:** 4**Conveyance:** CHANGE OF NAME**Assignor:** [FOREVER.COM, INC.](#)**Exec Dt:** 08/08/2013**Entity Type:** CORPORATION**Citizenship:** DELAWARE**Assignee:** [FOREVER, INC.](#)ONE PPG PLACE, 20TH FLOOR
PITTSBURGH, PENNSYLVANIA 15222**Entity Type:** CORPORATION**Citizenship:** DELAWARE**Correspondent:** ROCHELLE D. ALPERT
ONE MARKET, SPEAR STREET TOWER
SAN FRANCISCO, CA 94105

Search Results as of: 06/10/2015 07:51 PM

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350. v.2.5

Web interface last modified: July 25, 2014 v.2.5

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EXHIBIT B
to Notice of Opposition
(Serial Nos. 86/386,895)

Forever, Inc. vs. IndieGoGo, Inc.
Serial Nos.: 86/386,895)
Submitted by: Forever, Inc. (Opposer)

The USPTO will perform maintenance affecting the Trademark Status and Document Retrieval (TSDR) system beginning at 10 p.m. Wednesday, June 10th and ending at 5 a.m., Thursday, June 11th ET. TSDR will be unavailable during the maintenance period.

STATUS

DOCUMENTS

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Mark: FOREVERTRUST

FOREVERTRUST

US Serial Number: 85737755

Application Filing Date: Sep. 25, 2014

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark, Service Mark

Status: A third request for extension of time to file a Statement of Use has been granted.

Status Date: Feb. 05, 2015

Publication Date: May 28, 2013

Notice of Allowance Date: Jul. 23, 2013

Mark Information

Mark Literal Elements: FOREVERTRUST

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Computer software for the organization, storage and access by others of personal documents, music, audio, video and multimedia content, for use in the safeguarding of digital files, including graphics and multimedia files, for retrieving personal documents, data, text, photos, images, graphics and multimedia content from databases and computer networks

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 027

Class Status: ACTIVE

Basis: 1(b)

For: Promoting the goods and services of others via a global computer network; Providing consumer

International Class(es): 035 - Primary Class**U.S Class(es):** 100, 101,**Class Status:** ACTIVE**Basis:** 1(b)**For:** Insurance information and consultancy; Investment advice; Providing information and advice in financial valuations, and the financial aspects of retirement**International Class(es):** 036 - Primary Class**U.S Class(es):** 100, 101,**Class Status:** ACTIVE**Basis:** 1(b)**For:** Electronic storage of digital media, namely, data, documents, text, photos, images, graphics, m**International Class(es):** 039 - Primary Class**U.S Class(es):** 100, 105**Class Status:** ACTIVE**Basis:** 1(b)**For:** Providing a website featuring technology that enables users to organize, store and access pers images, graphics, music, audio, video and multimedia content, for use in the safeguarding of dig binary, still images, graphics and multimedia files, to retrieve personal documents, data, text, ph video and multimedia content from databases and computer networks; Providing on-line non-dc organization, storage and access by others of personal documents, data, text, photos, images, multimedia content, for use in the safeguarding of digital files, including audio, video, text, binar files, for retrieving personal documents, data, text, photos, images, graphics, music, audio, vide databases and computer networks**International Class(es):** 042 - Primary Class**U.S Class(es):** 100, 101**Class Status:** ACTIVE**Basis:** 1(b)**For:** On-line social networking services**International Class(es):** 045 - Primary Class**U.S Class(es):** 100, 101**Class Status:** ACTIVE**Basis:** 1(b)**Basis Information (Case Level)****Filed Use:** No**Currently Use:** No**Filed ITU:** Yes**Currently ITU:** Yes**Filed 44D:** No**Currently 44D:** No**Filed 44E:** No**Currently 44E:** No**Filed 66A:** No**Currently 66A:** No**Filed No Basis:** No**Currently No Basis:** No

Current Owner(s) Information

Owner Name: FOREVER, INC.
Owner Address: ONE PPG PLACE, 20TH FLOOR
PITTSBURGH, PENNSYLVANIA 15222
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information**Attorney of Record**

Attorney Name: Rochelle D. Alpert

Docket Number: 061729-07

Attorney Primary Email ralpert@morganlewis.com
Address:

Attorney Email Authorized: Yes

Correspondent

Correspondent ROCHELLE D. ALPERT
Name/Address: MORGAN, LEWIS & BOCKIUS LLP
1 MARKET SPEAR STREET TOWER
SAN FRANCISCO, CALIFORNIA 94105
UNITED STATES

Phone: (415) 442-1326

Fax: (415) 442-

Correspondent e-mail: ralpert@morganlewis.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Feb. 06, 2015	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Feb. 05, 2015	EXTENSION 3 GRANTED	76538
Jan. 21, 2015	EXTENSION 3 FILED	76538
Jan. 21, 2015	TEAS EXTENSION RECEIVED	
Aug. 15, 2014	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Aug. 14, 2014	EXTENSION 2 GRANTED	76538
Jul. 18, 2014	EXTENSION 2 FILED	76538
Aug. 13, 2014	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76538
Jul. 18, 2014	TEAS EXTENSION RECEIVED	
Jan. 10, 2014		

	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jan. 08, 2014	EXTENSION 1 GRANTED	98765
Jan. 08, 2014	EXTENSION 1 FILED	98765
Jan. 08, 2014	TEAS EXTENSION RECEIVED	
Aug. 21, 2013	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jul. 24, 2013	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jul. 23, 2013	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Jul. 03, 2013	ASSIGNED TO EXAMINER	81092
May 28, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
May 28, 2013	PUBLISHED FOR OPPOSITION	
May 08, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Apr. 19, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	77312
Apr. 19, 2013	ASSIGNED TO LIE	77312
Mar. 29, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 27, 2013	EXAMINER'S AMENDMENT ENTERED	88888
Mar. 27, 2013	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Mar. 27, 2013	EXAMINERS AMENDMENT E-MAILED	6328
Mar. 27, 2013	EXAMINERS AMENDMENT -WRITTEN	85334
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Feb. 25, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 06, 2013	NOTIFICATION OF NON-FINAL ACTION E- MAILED	6325
Feb. 06, 2013	NON-FINAL ACTION E-MAILED	6325
Feb. 06, 2013	NON-FINAL ACTION WRITTEN	85334
Jan. 23, 2013	ASSIGNED TO EXAMINER	85334
Oct. 02, 2012	NOTICE OF PSEUDO MARK MAILED	
Sep. 30, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	

Sep. 28, 2012

NEW APPLICATION ENTERED IN TRAM

TM Staff and Location Information

TM Staff Information

TM Attorney: HELLMAN, ELI J

Law Office Assigned: LAW OFF

File Location

Current Location: INTENT TO USE SECTION

Date in Location: Aug. 13, 2

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Trademark Assignment Abstract of Title

Total Assignments: 2

Serial #: 85737755 Filing Dt: 09/25/2012 Reg #: NONE Reg. Dt:

Applicant: Meakem Newco, Inc.

Mark: FOREVERTRUST

Assignment: 1

Reel/Frame: 5074/0698 Recorded: 07/17/2013 Pages: 4

Conveyance: CHANGE OF NAME

Assignor: MEAKEM NEWCO, INC.

Exec Dt: 11/15/2012

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: FOREVER.COM INC.

ONE PPG PLACE, 20TH FLOOR
PITTSBURGH, PENNSYLVANIA 15222

Entity Type: CORPORATION

Citizenship: DELAWARE

Correspondent: ROCHELLE D. ALPERT
MORGAN LEWIS, ONE MARKET, 28TH FLOOR
SPEAR STREET TOWER
SAN FRANCISCO, CA 94105

Assignment: 2

Reel/Frame: 5091/0877 Recorded: 08/15/2013 Pages: 4

Conveyance: CHANGE OF NAME

Assignor: FOREVER.COM, INC.

Exec Dt: 08/08/2013

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: FOREVER, INC.

ONE PPG PLACE, 20TH FLOOR
PITTSBURGH, PENNSYLVANIA 15222

Entity Type: CORPORATION

Citizenship: DELAWARE

Correspondent: ROCHELLE D. ALPERT
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I am a resident of the State of California and over the age of eighteen years, and not a party to the within action; my business address is One Market, Spear Street Tower, **San Francisco**, CA 94105.

On **June 10, 2015**, I served the within documents:

NOTICE OF OPPOSITION (Exhibits A-B) — Serial Nos. 86/386,895

- ☒ **(BY MAIL)** I placed the sealed envelope(s) for collection and mailing by following the ordinary business practices of Morgan, Lewis & Bockius LLP, **San Francisco**, California. I am readily familiar with the firm's practice for collecting and processing of correspondence for mailing with the United States Postal Service, said practice being that, in the ordinary course of business, correspondence with postage fully prepaid is deposited with the United States Postal Service the same day as it is placed for collection.
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- ☐ **(BY PERSONAL SERVICE)** I caused the document(s) listed above to be personally delivered to the person(s) at the address(es) set forth above (through **Professional Messenger**).
- ☐ **(BY FACSIMILE)** I caused the documents to be transmitted by facsimile machine at the time stated on the attached transmission report(s). The facsimile transmission(s) was reported as complete and without error.
- ☐ **(E-MAIL)** I transmitted via E-MAIL the document(s) listed above to the person(s) at the address(es) set forth below.

PARTY SERVED	METHOD OF SERVICE
Flavia Campbell Lewis Roca Rothgerber LLP 201 E. Washington St., Suite 1200 Phoenix, Arizona 85004-2595	Via First Class Mail

Executed on **June 10, 2015**, at **San Francisco**, California. I declare under penalty of perjury, under the laws of the United States of America, that the foregoing is true and correct.



Yelena Lolua